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Attorneys for Plaintiff MEDIATEK INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

MEDIATEK INC.

Plaintiff,

V.

FREESCALE SEMICONDUCTOR, INC.

Defendant.

**Civil Action No. 4:11-cv-05341 (YGR)
(JSC)**

**DECLARATION OF
MH SHIEH IN SUPPORT OF
FREESCALE SEMICONDUCTOR
INC.'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL**

DEMAND FOR JURY TRIAL

1 I, MH Shieh, declare as follows:

2 1. I am an employee of MediaTek Inc. ("MediaTek"), plaintiff in the above-
3 captioned matter. My current job title is Special Assistant to the General Manager. I submit this
4 declaration in support of Freescale Semiconductor Inc.'s ("Freescale") Administrative Motion to
5 File Under Seal Freescale's Reply in Support of its Motion for Adverse Inferences Stemming
6 From the Concealment of Material Evidence (Dkt. No. 352). I have personal knowledge of the
7 facts set forth in this declaration and, if called to testify as a witness, could and would do so
8 competently.

9 2. Freescale's Administrative Motion seeks to have filed under seal a confidential,
10 unredacted version of Freescale's Reply in Support of its Motion for Adverse Inferences
11 Stemming From the Concealment of Material Evidence ("Freescale's Reply"). Freescale's
12 Reply contains information concerning confidential reports commissioned by MediaTek, and
13 confidential information concerning MediaTek's acquisitions of the patents-in-suit.

14 3. MediaTek does not publicly disclose information concerning its patent
15 acquisitions. Instead, MediaTek protects this information as a trade secret, and takes steps to
16 ensure that this information remains confidential, including marking the information included in
17 Freescale's Reply as "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" when
18 MediaTek produced this information in this action. If this information were publicly disclosed,
19 MediaTek's competitors could use the information in Freescale's Reply to MediaTek's economic
20 disadvantage by tailoring their negotiation strategies regarding intellectual property transfers to
21 exploit MediaTek's practices. Therefore, the requested relief is necessary to protect MediaTek
22 from such competitive harm.

23 4. The requested relief is narrowly tailored to protect the confidentiality of this
24 information. Only those portions of Freescale's Reply that describe the confidential report
25 commissioned by MediaTek are covered by Freescale's Administrative Motion.

26 I declare under penalty of perjury under the laws of the United States that the foregoing is
27 true and correct.

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2 Dated: December 6, 2013
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5 MH Shieh
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